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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,588	09/18/2003	Miles Justin Russell	C2C8980US01	9164
27723	7590	10/26/2005	EXAMINER	
KEVIN FARRELL PIERCE ATWOOD ONE NEW HAMPSHIRE AVENUE PORTSMOUTH, NH 03801			LAVILLA, MICHAEL E	
			ART UNIT	PAPER NUMBER
			1775	

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,588

Applicant(s)

RUSSELL, MILES JUSTIN

Examiner

Michael La Villa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005 and 27 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
2. The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 18-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- I. Regarding Claim 18, it is unclear what is meant by the phrase "wherein the adhesion of the adhesive defines a central region. . ." It is unclear whether this refers to the presence of adhesive between the two layers and joined relationship of the two layers through the adhesive or to something else. It is unclear whether the claimed "lamination process" of the last line refers to the process of making the claimed article or to the process of using the claimed article.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
5. A person shall be entitled to a patent unless –
6. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
7. (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Weekes et al. USPA 2004/0253473 for the reasons of record in the Office Action mailed on 23 February 2005.
9. Claims 1-3, 5-8, 10-13, 18-21, 26, 29, and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnston USP 5,725,937 for the reasons of record in the Office Action mailed on 23 February 2005.
10. Claims 1, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Steiner et al. USPA 2002/0061415 for the reasons of record in the Office Action mailed on 23 February 2005.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claims 2, 3, and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weekes et al. USPA 2004/0253473 for the reasons of record in the Office Action mailed on 23 February 2005.

14. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston USP 5,725,937 in view of Steiner et al. USPA 2002/0061415. Johnston is relied upon as above in the section 102 rejection over Johnston USP 5,725,937. Johnston does not teach gold or silver foils. Steiner suggests forming laminates for making PCB wherein the foil is not copper, but rather silver or gold. See Steiner et al. (paragraph 42). It would have been obvious to one of ordinary skill in the art at the time of the invention to fabricate the laminate of Johnston with silver or gold foil, rather than copper foil, as Steiner suggests that use of gold or silver foils for making PCB circuitry is effective.

Response to Amendment

- I. In view of applicant's amendments and arguments, the section 112, second paragraph rejections of the Office Action mailed on 23 February 2005 are withdrawn.
- II. In view of applicant's amendments and arguments, applicant traverses the section 102 and 103 rejections over Weekes of the Office Action mailed on 23 February 2005. Applicant argues that Weekes does not teach joined non-functional and functional layers. While applicant may be correct that there is an absence of adhesive between the layers, the contention that they are not joined is not persuasive. A vice

may join two pieces together even where the pieces would otherwise not stay together. Likewise, the functional and non-functional layers are joined in the stack and are joined by the peripheral adhesive that holds the copper foils together, sandwiching the aluminum layer.

Rejection is maintained.

III. In view of applicant's amendments and arguments, applicant traverses the section 102 rejection over Johnston of the Office Action mailed on 23 February 2005. Applicant argues that Johnston only teaches coextensive lateral dimensions. However, the structure depicted in Figure 5 itself has non-coextensive lateral dimensions, wherein the top layer is peeled back. With respect to Claims 18 et seq., there is no requirement of lateral non-coextensiveness. The claimed flashing can be identified with the area between the adhesive bead and the perimeter in Johnston. See Frater USP 6,355,360 (col. 9, lines 63-67)(referring to the outer region as "flash" to be trimmed). Rejection is maintained.

IV. In view of applicant's amendments and arguments, applicant traverses the section 102 rejection over Steiner of the Office Action mailed on 23 February 2005. Applicant argues that the resin layer in Steiner is not one of the claimed layers. The claimed "non-functional film layer" may be identified with the resin layer. Rejection is maintained.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
16. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael La Villa whose telephone number is (571) 272-1539. The examiner can normally be reached on Monday through Friday.
18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael La Villa
21 October 2005



MICHAEL E. LAVILLA PH.D.
PRIMARY EXAMINER